

CAN YOU ANSWER THESE FARM LABOR QUESTIONS?

1. Must you pay social security on wages paid your 19 year old son?

No. Some types of family employment are not covered by social security. A child under 21 years of age in the employ of his father or mother is an example of family employment not covered. (Handbook page 47)

2. Is withholding of Federal Income tax required on wages of hired farm workers?

No. Withholding is not required on wages of farm workers but is permitted. (Handbook page 41)

3. Must I pay Workers' Compensation since I only hire part-time workers?

Yes. Every employer of one or more full- or part-time workers in his regular business, regardless of amount of wages paid, is required by law to carry Workers' Compensation Insurance with the State of Ohio. (Handbook page 1)

4. Is the Jobs Tax Credit available to farm employers?

Yes. The new Jobs Tax Credit is earned by increasing the total wages paid employees. There can be significant tax savings to farm employers adding either full-time or part-time employees. (Handbook page 51)

5. Are all agricultural employers required to pay the minimum wage?

No. Only agricultural employers who use more than 500 man-days of labor in any calendar quarter of the preceding year must pay the minimum wage. 500 man-days is equivalent to about 7 full-time employees in a 13 week calendar quarter. The minimum wage for the calendar year 1978 is \$2.65 an hour. The minimum wage is scheduled to increase to \$2.90 an hour beginning January 1, 1979. (Handbook page 7)

6. Can Workers' Compensation Insurance be purchased from a private company?

No. It must be purchased from the State of Ohio. (Handbook page 1)

7. Do all farm employers pay the same Workers' Compensation rate?

No. The majority of farm operations are classified as 006-General Farming, and employers pay on that rate. Some, however, may be able to take advantage of other specialized farm labor rate classifications which have lower rates. (Handbook page 2)

8. Must you pay the minimum wage to your 17 year old daughter employed full-time?

No. Employees who are members of your immediate family are exempt from the minimum wage, even if you have more than 500 man-days of labor in a calendar quarter. (Handbook page 8)

(over)

9. Must you pay overtime to employees working more than 40 hours per week?

No. The law does not require overtime pay for farm workers. (Handbook page 9)

10. Can you hire a 14 year old neighbor boy to drive a tractor?

Only if he has completed training and received a certificate in a bona fide 4-H or FFA tractor operator course. (Handbook page 19)

11. Can you hire a 13 year old neighbor boy to stack bales behind a hay baler?

No. This is considered a hazardous occupation in agriculture, and a 13 year old cannot be hired for this purpose. Youth aged 14 and 15 can only be hired for this purpose if they have completed training and received certification in a bona fide 4-H or FFA machinery operator course. (Handbook page 18)

12. Must you pay unemployment insurance tax if you employ two part-time workers?

No. Only relatively large employers must pay the unemployment insurance tax. Specifically, it is those farm employers who during the current or previous calendar year (a) employed 10 or more workers in each of 20 or more weeks, or (b) paid \$20,000 or more in cash wages in any calendar quarter of the current or preceding calendar year. (Handbook page 33)

13. Do all unemployed farm workers qualify for unemployment insurance benefits?

No. Only those unemployed farm workers meeting certain requirements can receive benefits. An individual must have been employed by a covered employer one or more days in each of twenty weeks or more during the past year to qualify for benefits. The person must have earned not less than \$20.00 in each of the 20 weeks. (Handbook page 36)

14. Is withholding of Ohio State Income Tax required on wages of hired farm workers?

No. The Ohio State Income Tax Law does not require, but does permit, withholding for state income tax from farm employees. (Handbook page 46)

15. Can you make voluntary social security tax payments on wages paid your 19 year old son?

No. A child under 21 years of age employed by his father or mother cannot be voluntarily covered by social security. (Handbook page 48)

16. Are any farm employers exempted from federal and state laws preventing discriminatory employment practices?

Yes. The federal law applies only to employers with 15 or more employees. The Ohio regulation applies to employers with 4 or more employees. (Handbook page 57)